UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

OCT 2 0 2010

REPLY TO THE ATTENTION OF:

E-19J

Mr. Johnny Gerbitz
FHWA – Wisconsin Division
525 Junction Road, Suite 8000
Madison, Wisconsin 53717-2157

Re: Comments on USH 18/151 (Verona Road) Supplemental Draft Environmental Impact Statement (SDEIS) from CTH PD to USH 12/14 (Beltline), Dane County, Wisconsin, EIS No. 20100349

Dear Mr. Gerbitz:

The U.S. Environmental Protection Agency – Region 5 (U.S. EPA) has received the document listed above. We are providing our comments to you pursuant to our authorities under the National Environmental Policy Act (NEPA), the Council on Enviornmental Quality regulations, and Section 309 of the Clean Air Act.

The Draft Environmental Impact Statement (DEIS) for this project was issued in 2004. The DEIS considered on-alignment concepts for three sub-areas in the project area, including the Verona Road corridor, the Beltline corridor and the Beltline crossings. We provided comments on the DEIS on May 25, 2004. Our comments focused on mitigation for secondary land use impacts.

The Supplemental DEIS presents a preferred alternative that is a staged implementation of two of the alternatives presented in the DEIS. Stage 1 entails reconstructing the current Verona Road/Beltline diamond interchange into a single-point urban interchange and extending the six-lane Beltine section west to the Whitney Way interchange. Under Stage 2, the intersection at County PD and Verona Road will be converted to a diamond interchange. Stage 3 will separate local traffic from metropolitan and regional traffic by providing a depressed freeway down the center of Verona Road and a freeflow interchange from USH 18/151 to USH 12/14 (the Beltline).

We have no objections to the project and thus concur with the selection of the preferred alternative. We have rated the Supplemental DEIS as Lack of Objections. We encourage the Wisconsin Department of Transporation (WisDOT) to implement best management practices in three areas: (1) Outreach to communities in the secondary impact study area, (2) Stormwater, and (3) Air Quality During Construction.

We note that WisDOT has stated that they will consider scheduling a workshop to conduct outreach/education for outlying jurisdictions that are within the secondary impact study area. We believe that this is a good idea and the FEIS should address the timing and scope of such a workshop.

We note the concern expressed by the Wisconsin Department of Natural Resources (WDNR) about stormwater in the project area. The increased amount of impervious surface that this project will add will aggravate the existing condition. Each phase of the project presents an opportunity to enhance stormwater management practices. We know that this an issue that will continue to get more attention as the design process moves forward. We encourage WisDOT to work closely with the WDNR in a proactive fashion to improve stormwater management to the maximim extent possible.

Additional BMP suggestions Air Quality (" Diesel Emissions Reductions During Construction") are attached to this letter. These air quality mitigation measures for construction should be considered by WisDOT to the maximum extent possible.

Thank you for providing us this opportunity. If you have any questions, please call Sherry Kamke of my staff at 312-353-5794.

Sincerely,

Kenneth A. Westlake, Chief
NEPA Implementation Section
Office of Enforcement and Compliance Assurance

Cc: Joe Olson, WisDOT – Southwest Region

Diesel Emissions Reductions During Construction

Exposure to diesel exhaust by construction workers and those nearby a construction site can have serious health implications. For this reason, EPA recommends Best Available Diesel Retrofit Control Technology (BACT) on all significant construction projects. We believe this project is a significant construction project because of the size and duration of the project, the proximity to some residential areas, and the use of diesel equipment during construction.

Typically BACT requirements can be met through the retrofit of all diesel-powered equipment with diesel oxidation catalysts or diesel particulate filters, in addition to other strategies or technologies (for example, cleaner burning fuels or anti-idling policies). The statement below is reflective of a study EPA completed on diesel exhaust health effects:

> Long-term (i.e., chronic) inhalation exposure to diesel exhaust is likely to pose a lung cancer hazard to humans, as well as damage the lung in other ways depending on exposure. Diesel exhaust is listed as a human carcinogen by the State of California and a likely human carcinogen by EPA. Short-term (i.e., acute) exposures can cause irritation and inflammatory symptoms of a transient nature, these being highly variable across the population. The assessment also indicates that evidence for exacerbation of existing allergies and asthma symptoms is emerging. EPA recognizes that diesel exhaust, as a mixture of many constituents, also contributes to ambient concentrations of several criteria air pollutants including nitrogen oxides and fine particulates, as well as other air toxics.[1]

In addition, we recommend that the Final EIS contain a description of efforts to minimize the impact of idling vehicles and construction equipment, and how such anti-idling measures will be enforced. We recommend that the idling of all engines not exceed 5 minutes, and that proper enforcement is in place to ensure compliance. Shutting down gasoline and diesel vehicles and equipment when engine power is not required will reduce emissions of carbon monoxide, carbon dioxide, particulate matter, volatile organic compounds, oxides of nitrogen, and mobile source air toxics. These emissions can adversely affect local air quality, adversely affect human health through exposure, and can seep into nearby buildings and adversely affect indoor air quality.

These air quality mitigation measures for construction should be considered by WisDOT. We recommend that WisDOT formalize their actions for the Verona Road project by developing and implementing a construction emissions reduction plan.

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[1] U.S. Environmental Protection Agency (EPA). (2002) Health assessment document for diesel engine exhaust. Prepared by the National Center for Environmental Assessment, Washington, DC, for the Office of Transportation and Air Quality; EPA/600/8-90/057F. Available from: National Technical Information Service, Springfield, VA; PB2002-107661, and <http://www.epa.gov/ncea>.

Although not required by EPA regulations, similar contract specifications have been established for large construction projects, including the O'Hare Airport Modernization Project and the Dan Ryan highway project in Chicago. Residents near the project and the construction workers will benefit from exposure to less air pollution.

Options to include in such a plan include:

(a) retrofitting off-road construction equipment, including repower or engine upgrades,
(b) using ultra-low-sulfur fuels for all equipment,
(c) limiting the age of on-road vehicles in construction projects to 1998 and newer, and 1996 and newer for off-road equipment,
(d) fugitive dust control plans,
(e) diesel particulate traps and oxidation catalysts,
(f) using existing power sources or clean fuel generators rather than temporary power generators, and
(g) encouraging the use of off-road equipment that meets the Tier 3 standards.

EPA is available to assist in efforts to select mitigation strategies that would be included in the final project. EPA has developed a compendium of contract specifications and language to assist State DOTs and other proponents of construction projects. Please see the following link for the specifications and language: http://www.epa.gov/midwestcleandiesel/projects/index.html